

**MEMO ENDORSED**

**ELEFTERAKIS  
ELEFTERAKIS  
& PANEK**



USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 12/5/2019

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December 3, 2019

**BY ECF**

Honorable Valerie E. Caproni  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: *Dolcine v. Hanson, et al.*, 17 CV 4835 (VEC) (JLC)

Your Honor:

I represent plaintiff in the above-referenced action. I write, along with defendants, to respectfully request an extension of the discovery deadline from December 12, 2019 to February 3, 2020, along with a corresponding adjournment of the Pretrial Conference on December 13, 2019, to a date and time convenient to the Court after the close of discovery. This is the party's second request for an extension of the discovery deadline.

To date, hundreds of pages of documents along with audio material have been exchanged, and plaintiff's deposition was conducted. The deposition of defendant Ruffin is scheduled for December 4, 2019, and the parties are working cooperatively to schedule the remaining depositions of defendants Hanson and Donahue. Unfortunately, given counsels' trial schedules<sup>1</sup> along with the approaching holidays, the parties respectfully submit that a brief extension is needed to complete discovery.

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<sup>1</sup> Counsel for defendants, Ms. Millar, was on trial from November 18 through 21, 2019, and engaged in preparation the week prior to trial; and Mr. Shaffer will be commencing a trial on December 9, 2019, which is expected to last approximately six days. The undersigned was also preparing for a trial in the wrongful conviction matter, *Hamilton v. City of New York*, 15 CV 4574 (CBA) (SJB), pending in the Eastern District of New York. The *Hamilton* trial was scheduled to commence on November 12, 2019, and

Accordingly, the parties respectfully request an extension of the discovery deadline until February 3, 2020, along with a corresponding adjournment of the Pretrial Conference. Thank you for your consideration of this request.

Respectfully submitted,



Baree N. Fett

cc: All Counsel

Application GRANTED in part. The deadline to complete fact discovery is EXTENDED to **December 31, 2019**. The conference scheduled for December 13, 2019, is ADJOURNED to **January 3, 2020, at 10:00 a.m.** The parties' joint preconference letter is due **December 30, 2019**. The Court will not grant further extensions absent extraordinary circumstances.  
SO ORDERED.



12/4/2019

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE

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counsel for plaintiff had been preparing for the trial - which was expected to continue for approximately three weeks – during September and October.